

GOVERNOR DEMANDS RESIGNATION FROM LAND OFFICE HEAD

Executive Writes Two Letters
Asking Mr. Tucker For Undated
Letter of Retirement

OFFICIAL STANDS PAT
UNDER ORGANIC LAW

Term Docs Not Cease Until Next
March and Will Stick
It Out

Joshua D. Tucker will not resign from the office of land commissioner for Hawaii, although the Governor has urgently requested him to do so in two separate letters. The first letter from the chief executive was sent to the land commissioner on January 4, the second on January 18.

The Governor yesterday announced that he had received no answer to either letter. Mr. Tucker, however, is known to have written a letter in reply to the last letter of the Governor, in which he flatly declines to resign.

This letter, which Mr. Tucker opens by the statement that it is "neither private nor confidential," says the commissioner has received the demands for his undated resignation, and has decided that "there is nothing in the Organic Act that calls for undated resignations." Furthermore, Tucker adds that he is not going to send any sort of a resignation, either dated or undated, as "there is nothing so far as I can find in the laws of the Territory that call for it."

Governor Writes Two Letters

The Governor's letters leave no doubt just where he stands in regard to the continued presence of Tucker as a member of the official family. He wants Josh out and wants him to get out at once.

The first letter, which is headed "private and personal," reads as follows:

January 4, 1916.
Joshua D. Tucker, Esq., Land Commissioner, Territory of Hawaii, Honolulu, T. H.

Sir:—You will at once hand me your undated resignation. No explanation of the reasons for this resignation is necessary. Whether or not such undated resignation will be used depends on circumstances within your control.

Yours very truly,
LUCIUS E. PINKHAM,
Governor of Hawaii.

To this letter, so the Governor asserts, the commissioner paid not the slightest heed. Indeed, Mr. Pinkham says that save for a fleeting glance he has not seen the land commissioner since December 31. After waiting for more than two weeks for a reply, Governor Pinkham sent the following letter to Mr. Tucker.

Private and Confidential,
January 18, 1916.

Joshua D. Tucker, Land Commissioner.

Sir:—Not having had any communication from you or a call from you in person since December 31, 1915, and having had no response to my request for your undated resignation, which was to be used only conditionally, I now request your prompt resignation from the office of Land Commissioner of the Territory of Hawaii.

Respectfully,
LUCIUS E. PINKHAM,
Governor of Hawaii.

Tucker Makes First Reply

This letter, it is said, brought Tucker's first reply, although he had been ready to answer before, had not friends advised his keeping silence. Tucker takes the stand that his term of office expires March 4, 1916, and that until that time he is going to stay in office unless the senate of the Territory concurs with the Governor's demand for his resignation. Under the law the commissioner, who was confirmed in office by the senate, can be removed only with the approval of that body.

Naturally, with the capital humming with such a bit of news, there was a great deal of talk about the probable successor to the present land commissioner and several names were prominently mentioned. Bertram G. Rivenburgh, former manager of Kapiolani Park and at one time secretary to former Mayor Fern, now an employee in the tax assessor's office, was the most talked-about, although Palmer Woods was also associated with the vacancy.

Governor Pinkham merely shook his head when these names were mentioned to him, and he was asked for a statement regarding his plans.

"I shall take Mr. Rivenburgh's name under advisement just as I would that of any other applicant for the post," said the Governor. "I have not as yet made up my mind regarding the matter, and until I do it would be worse than useless for me to speak about it."

Mr. Pinkham Makes Statement

Nor would Governor Pinkham discuss his reasons for asking for the resignation of Mr. Tucker. It was with reluctance that he gave out the contents of the letters he had sent to the commissioner, and only after he learned that rumor was low with the whole affair. He made the following statement, which he said covered the case so far as he was concerned:

"A representative of The Advertiser has informed me that there were numerous rumors and statements rela-

BRITISH YEOMAN LIES IN SAFETY IN LEE OF OAHU

Naval Tug Navajo Brings Disabled Bark From Turbulent Berth Off Kauai

COLUMBINE RETURNS
AFTER SAVING SHIP

Coast Guard Cutter Thetis, Sent To Assist, Has Not Reported Whereabouts

Lying somewhere off Waimanalo, in sheltered waters, the bark British Yeoman, in tow of the naval tug Navajo, is waiting for the sea to moderate before coming into port. Had it not been for the splendid work of the Navajo and the lighthouse tender Columbine, the latter of which stood by the distressed bark for fifty-five hours, in a howling storm, the British Yeoman would now, in all probability, be piled up on the rocks at Port Allen on which the Chilean bark Ivanhoe recently went to her doom.

The British Yeoman was in dire peril at Port Allen last Sunday and Monday, the koma storm which sent the schooner Prosper to destruction threatening to drive the big bark to the same fate. Gallantly the little Columbine towed the bark to safety, and when her rudder jammed and she became unmanageable, held onto her until there were no more serviceable lines available, when she was released for assistance, and in answer to her summons, the Navajo came along from Honolulu, took the vessel in tow, brought her off port yesterday afternoon, and towed her to a place of comparative safety, where both vessels remained last night.

Could Not Make Harbor

About four o'clock yesterday afternoon the British Yeoman, looking like a ghost ship in the sea, was plainly visible off the mouth of the harbor. She was carrying headwinds and was pitching considerably.

It was intended to bring the bark into the harbor, but she was so unmanageable in the sea that running her rudder being still jammed, that it was decided to take no chances with the great sea that was breaking right across the bar, and Captain Metters of the Navajo wireless to the naval authorities that he would go round to the lee waters of Waimanalo.

About five o'clock the Columbine, which had been standing by the British Yeoman all the way from Kauai, scurried into port, going out again about twenty minutes later, accompanied by the tug Intrepid. Both these vessels returned shortly before six o'clock.

The Inter-Island steamer Waiilele, which went to Kauai to assist the bark if possible, returned yesterday morning without having been able to locate her. The Coast Guard cutter Thetis, which went out on a similar mission, is still away, and up to a late hour last night no word whatever had been received of her whereabouts. It is thought that the cutter is stowed away out of the wind somewhere off Kauai.

Yeoman a Fine Vessel

The British Yeoman is a fine vessel of 1862 tons and was built in Southampton in 1880. She brought a cargo of coal to Eleale from Newcastle. Her difficulties have been increased by the fact that she is short six men of her crew, who were left on the coast of Kauai, having been upset in one of the bark's boats which was sent to the relief of the schooner Prosper last Sunday.

The Intrepid and Columbine went out yesterday afternoon to stand by in case of emergency. One six-inch line was all that was left on the lighthouse tender. A hawser and all her big lines went by the board.

The jamming of the bark's rudder in a way proved a blessing in disguise, for as it happened, it was jammed in such a position, as to enable her to stay off shore when towed away from danger at Port Allen.

Bobbing about like a cork in the mad water, the Columbine did not come through her ordeal unscathed. Her wireless was put out of commission by the volume of water shipped and a portion of her rail was carried away by the strain of a hawser.

Glad To Get Ashore

The company of the Columbine numbers twenty-five all told and all hands were heartily glad to get ashore last night, several of them being practically ill all in. Captain Warriner stated that the experience was one of the most trying that he has passed through.

The Columbine was on a cruise round Kauai when called, by the unwritten law of the sea, to save life and property.

Captain Warriner and the men of the Columbine did not turn in for fifty-five hours, and, of course, had no sleep for that period. Captain Metters and the crew of the Navajo have undoubtedly had an equally trying experience.

As to the land commissioner, and asked me for official information. I felt most reluctant to discuss the matter, as I am perfectly aware that the law gives me no effective control, but finally concluded that the facts had best be written in the knowledge rather than rumors. The records of visitors in the office of my private secretary do not contain the name of Mr. Tucker as having called here since December 31, last.

At the office of the land commissioner it was stated that he had been at his desk for some time yesterday morning, but that he had not been there after noon failed to find him there.

FEDERAL ANTI-TRUST POLICY IS OUTLINED IN REPORT RECEIVED

Honolulu Chamber of Commerce Has Statement From Its Parent Organization

SHERMAN ACT ENFORCED
LIKE ALL OTHER STATUTES

Attorney-General Gregory Defines Jurisdiction of Department of Justice in Cases

In a statement issued from headquarters of the Chamber of Commerce of the United States, at Washington, to all of its subsidiary organizations, a copy of which has been received by the Chamber of Commerce of Honolulu, the policy of the department of justice in the enforcement of the federal anti-trust laws is outlined at length. The statement is the outcome of several conferences between Attorney-General Gregory and a committee of the national chamber of commerce, and is regarded as one of the most important reports affecting the commercial and financial world that has been made by the national chamber for some time.

The outline, which was submitted to and approved by the attorney-general, is prefaced by an explanation that the chamber has constantly been presented with inquiries with regard to the relationship that might be established between the federal trade commission and the department, and with requests for information as to the government's attitude in future anti-trust proceedings. The attorney-general was told, the statement says, that an expression from him might be regarded as reassuring to the public mind, and might "dispel some of the uncertainty which heretofore existed."

Text of Statement

The statement in part follows: "By way of introduction, the attorney-general expressed the view that much of the misunderstanding that exists in some quarters in relation to the Sherman act is due to the fact that in the minds of many it has come to be thought of as a statute apart from the general body of laws. This, he pointed out, is not the case. On the contrary, the Sherman act is enforced by the department of justice in the same manner and according to the same rules of policy as other statutes—with the same care and with neither more nor less rigor. Plain or intentional violations are proceeded against vigorously, as under other statutes."

"When, as with all statutes, doubtful cases arise in which there is no intent to violate the law, they are dealt with just as similar cases under other statutes are dealt with—that is, with a view to enforcing strict compliance with the law, but without unnecessarily stigmatizing or unnecessarily burdening with litigation persons who have been honestly mistaken as to the law and who stand ready to rectify their mistake."

Points Taken Up

"Four points were then taken up: "First—The complaint that the law is uncertain."

"Second—The policy of the department of justice as regards the method of enforcing the law in admittedly doubtful cases."

"Third—The means adopted by the department to guard against unjust prosecutions."

"Fourth—The policy of the department in cases where it and the federal trade commission are both charged with the enforcement of the law."

"Concerning the first point, the attorney-general stated that while concededly there is in the law of restraint of trade an area of doubt, in the vast majority of cases it is not difficult to

tell whether a proposed transaction is or is not in violation of the statute. Such doubt as there is, he further stated, will be generally reduced by decisions in the shipping pool cases, the anthracite coal cases, the harvester cases, the steel cases, and the United Shoe Machinery case, which are now pending in the supreme court.

Doubtful Cases

"This led to the question as to the policy of the department as regards the method of enforcing the law in those cases which are admittedly doubtful. On that point the attorney-general stated that where men have entered into a transaction, believing in good faith that the transaction is a lawful one, and subsequently, upon complaint made, the department reaches the conclusion that the transaction was not in accordance with the statute, it has not been and would not be, the policy of the department to invoke extreme penalties against those who made the mistake. The department would consider the case and the quickest way of enforcing the law would be by a civil proceeding in which the question involved could be contested, or by a notice of the department's conclusion with opportunity to abandon or modify the transaction."

Business Readjustment

"In this connection the attention of the attorney-general was called to paragraph E of section 6 of the federal trade commission law, which authorizes the attorney-general to investigate and to make recommendations for the readjustment of the business of any corporation alleged to be violating the anti-trust acts, in order that the corporation may thereafter maintain its organization, management and conduct of business in accordance with law."

"He was asked whether he could state what would be the policy of the department of justice in invoking that provision."

"Speaking generally, he replied that he did not understand that the provision contemplated that he should refer to the commission the question whether the law had been violated in a given case, but rather questions of the feasibility, adequacy or advisability of proposed remedies from a practical standpoint. Where questions of the latter sort do not arise, or where they arise in a form which presents no difficulty, no purpose would be served, of course, by having the parties go over the same ground before the commission that had already been gone over before the department."

Ready For Assistance

"On the other hand, where in working out the remedy in a particular case, difficult questions of business organization and of finance shall be encountered, the person or corporation against whom the department wishes to see the assistance of the trade commission."

"The discussion then turned to the measures taken by the department to guard against prosecutions for which there is no just ground. On this point the attorney-general stated that no proceeding is ever instituted until after the most painstaking and exhaustive examination of facts which it is possible to make. As a part of this inquiry, the person or corporation against whom complaint is made, unless it has already declared its attitude, is given full opportunity to submit its defense before any action is taken. This is done, he pointed out, not only as a matter of justice to those against whom complaints are made, but as a matter of prudence on the part of the department, for least of all has the department any interest in instituting a suit which should subsequently turn out to be without foundation."

"As to its policy in cases where both the department and the federal trade commission are charged with the enforcement of the law, as under the Clayton act, the attorney-general stated that the department would, in general, be guided by the principle which governs the federal and the state courts in cases where they have concurrent jurisdiction. That is to say, in any such case, if the federal trade commission were the first to exercise jurisdiction, the department of justice would await the conclusion of the commission's proceedings before taking any action, unless special circumstances should dictate a different course."

Why He Came

Landlady (delighted)—And so 'De Curran advised you to come here?"

New Boarder—Yes; I'm under treatment, and he said I must avoid over-excitement.—Boston Transcript.

SPORTS

WILLIAM T. RAWLINS HAS
GOOD REASONS
FOR NOT BRINGING
NORMAN ROSS TO HAWAII

William T. Rawlins, who is to manage the swimming meet next month, has called a meeting of those interested to be held at his office next Saturday afternoon to complete the details of the program. Rawlins is aiming to give the public an entertainment surpassing anything ever held here and for that reason is bringing Miss Frances Cowells and Lady Langer, both champions here as competitors of the local swimmers.

In discussing his plans yesterday, Rawlins spoke of Norman Ross, the San Francisco swimmer, who is being touted to the sky as a winner and able to beat Duke, but whose record does not bear out the praise being given him.

"Ross is getting a lot of boosting in certain quarters," said Rawlins, "as the man to beat Duke Kahanamoku, and there are many expressions of regret that he is not to be brought here for the meet next month. Now there are a few of us in Honolulu who follow swimming very closely and I for one fall to see where Ross will be an attraction. First of all I have taken four swimming teams to the coast, and not once has Ross been entered by the Multnomah club, though I know personally that the Club was asked to send competitors."

How Ross Beat Duke

"All of a sudden, Ross is announced as a world beater, by the coast papers, and it is claimed that he beat George Cunha. He beat Cunha once in the Olympic tank five minutes after George had just swam a heat in the 100 yds. Since that time Cunha, who is as square a little fellow as ever donned a swimming suit, has more than once taken the measure of Ross. Ross has made twenty-six seconds in the fifty, while Stubbie Kreuger, Lane, Kanpiko Kanakani, Bertlemann and Carter can at any time swim the same distance at just a fraction over twenty-five seconds, while Duke has negotiated the distance in 0:22.4-5 seconds. In the 100 yards the two Kreuger brothers, Lane, Carter and Duke can all beat Ross' time by good margins, and when it comes to the 220 yards, Stubbie Kreuger, Hilo Boyd and Duke are his superiors easily."

"Now if Ross is such a world beater, why don't those who are boosting him get together and send him down here for the Carnival—years ago we all boasted Duke and wanted him to be taken to the mainland, and were all told by the late James E. Sullivan that 'World records are not broken by seconds, Duke Kahanamoku has never been heard of, and if he is what you claim send him on to prove it.' Hawaii's people put up the money and we sent him along and proved we were right."

Let Mainland Do As We Do

"We have always been ready to back our swimmers, and four times the public has come through with the money to send them to the coast, and it now seems to me that those who are boosting Ross should be sports enough to do the same thing. I am authorized by the Carnival Committee to bring good swimmers here, but I can't see why I should spend money in bringing a man here, whose past performances do not compare with the local boys."

Miss Frances Cowells and good old Lady Langer are the best on the coast, and every cent expended on them will be well repaid by the exhibitions that they will put up."

"I am told that Sid Cavill, swimming instructor at the Olympic club, is among those who says Ross can beat Duke, but his opinion does not go far with me, in view of the fact that in all the years he has been with the Olympic club, he hasn't yet produced a first class swimmer, and the best he has under him are men who were coached by others and taken under his wing after they became famous, as in the case of George Cunha, Ernie Smith, Bob Small and the attempt to get hold of Duke Kahanamoku in 1913."

"It is said that Ross is only a youngster but is bound to improve but so as Kreuger and Lane youngsters nearly three years the last of them, their time is better than his now for the 50 and 100 yards, and you can say for me that they are both comers and are also improving."

"All I can say is that if I thought as much of Ross as those who are boosting him, I would start out right away, raise the money and send him along and prove that he is what others claim for him."

OLA TAKES BIG JUMP IN LOCAL STOCK MART

Predictions were made on the street yesterday that before the end of the year, unless something very untoward happens, Ola will be selling at near par. Yesterday the stock took a jump of seventy-five cents and closed strong with bidding at eleven dollars. McBryde also felt the rise and responded, but not to the same extent as Ola. About 900 shares of Ola at eleven dollars changed hands. The transactions in Ola were heavy as were those in McBryde.

DAYS AT HOME

"I wish a doormat," announced Mrs. De Style.

"Here is a very nice pattern," said the salesman, "with the word 'Welcome' woven into the fiber."

"I see. I suppose that will do if you can add the words 'Tuesdays and Fridays.'"

Who's Who In the World
of Sport For Year Full
of Brilliant Deeds

Track and Field

Norman S. Taher, who ran a mile in 4:12 3-5, a new world's record, either amateur or professional, was the year's star. George H. Goulding walked seven miles in 50 minutes 40 4-5 seconds, a world's record. Ted Meredith, Jole Ray, W. H. Meade, Fred W. Kelly and Thomas J. Halpin were other hurriers.

Thoroughbred Racing

Andrew Miller's Roamer, winner, among other stakes of the Queens County, Saratoga and Havre de Grace handicaps. H. P. Whitney's unbeaten Regret, the first filly to win the Kentucky Derby. Thunderer, winner of the Futurity, and Dominant, one of the best two-year-olds.

Baseball

Pat Moran, in his first year as manager, led Philadelphia Nationals to the club's first victory in forty years, Boston Red Sox, who won the world's championship. Ty Cobb, who led all batters, and Walter Johnson and Grover Cleveland Alexander, the leading pitchers.

Lawn Tennis

William M. Johnston, of San Francisco, who swept through the finest field in history to win the national singles title at Forest Hills, Long Island, and with C. J. Griffin, won the double crown. Miss Molla Bjurstedt, who captured national singles and several other titles.

Golf

Jerome D. Travers, winner of American open championship; Robert A. Gardner, winner of national amateur title, and Mrs. C. H. Vanderbeck, women amateur champion.

Boxing

Jess Willard, conqueror of Jack Johnson at Havana, Cuba; Les Darcy, of Australia, leading pretender to midweight crown.

Yachting and Motor Boating

The Resolute for the second season proved her right to defend the America's Cup. Middle West produced mile-a-minute motor boat.

Trotting and Pacing

Peter Scott, 2:05 1/4, driven by Murphy, set a record for winnings, with a total of \$50,000. Directum I paced a mile in 1:56 1/4, and William paced a mile to wagon in 1:59 1/2, both world records. Peter Volo, Mary Putney, Volga, Peter Mac and many others made world's trotting records for various ages and varying conditions.

Rowing

Vale 'varsity eight, conqueror at Harvard on Thames at four miles, and other crews at shorter distances; Cornell 'varsity eight, winner at Poughkeepsie over Leland Stanford, champion of Pacific Coast, and other crews; Bob Dibble, winner of Diamond Scull's.

Swimming

Duke Kahanamoku, with three new world's records to his credit; Lady Langer, with national and international records at several distances, and Harry Heber, in free style performance; Arthur Rathel, Perry McGilvray, Bud Goodwin and Herbert Vollmer were others who displayed superior ability.

Automobile Racing

Gil Anderson, who averaged 102.59 miles per hour in 350-mile race on Sheepshead Bay speedway; Dario Resta who averaged 97.58 for 500 miles at Chicago, and Earl Cooper, the champion race driver of 1915.

Hockey

St. Nicholas Hockey Club, with Hoby Baker, the star, won amateur league battle. Harvard rated as best college combination.

Soccer Football

Bethlehem (Penn.) Football Club won National Challenge trophy, most coveted prize of year, defeating Brooklyn Football Club.

Bicycling

Frank Kramer for fifteenth year in succession won American championship, defeating Goulet, and Grenda and Hill captured annual six-day race in Madison Square Garden.

Billiards

William F. Hoppe won everything in sight at all forms of ballkine, and remains unbeatable. Three-cushion title regained by Alfredo de Oro.

Cricket

German town Club recognized as champion by reason of its capture of Halifax Cup.

Chess

Jose B. Capablanca, who won national tournament without losing a game.

Bowling

Thomas J. Seannell, who won the all around metropolitan title with 1935, and W. H. Pierce, winner in singles at Peoria with 711, a new A. B. C. record.

Racquets

Clarence J. Pell, of Tuxedo, winner of national singles amateur championship and member of victorious doubles team. Jack Soutar, who successfully defended professional titles.

Squash

Eric S. Winston, who easily defeated Evelyn du Pont Irving for national amateur championship.

PILES CURED IN 6 TO 14 DAYS

PAZO OINTMENT is guaranteed to cure blind, bleeding, itching or protruding PILES in 6 to 14 days or money refunded. Manufactured by the PARIS MEDICINE CO., St. Louis, U. S. A.

NAVY LEAGUE WANTS 1000 HAWAII WOMEN

The Women's Branch of the Navy League of Hawaii has something more than five hundred members, each pledged to advocate adequate naval preparedness and to spread broadcast the knowledge that the women of the islands are ready to endorse a naval program as extensive as the resources of the nation permit.

Mrs. J. M. Riggs, who has personally secured the pledges of 350 and more members of the local branch and who is chairman of the membership committee, has been asked by the directors of the league, at Washington, to make a special effort to secure a membership of one thousand women in Hawaii by March 1, a large order but one which Mrs. Riggs says can be filled if those who have already signed the pledge will bear a hand.

"There are five hundred and more members now," says Mrs. Riggs, "and if each would secure one pledge our membership would double. It is easily possible for every member to get one more, and then we can show the women of the national board at Washington the Hawaii way of doing things."

CASTLE & COOKE, Ltd

SUGAR FACTORS, SHIPPING AND COMMISSION MERCHANTS, INSURANCE AGENTS.

Swa Plantation Company, Waiakoa Agricultural Co., Ltd., Apokas Sugar Co., Ltd., Kohala Sugar Company, Waiakoa Water Company, Ltd.

Fulton Iron Works of St. Louis, Babcock & Wilcox Company, Greens Fuel Economizer Company, Chas. C. Moore & Co., Engineers.

Matson Navigation Company, Toyo Kisen Kaisha.

Bank of Hawaii

INCORPORATED UNDER THE LAWS OF THE TERRITORY OF HAWAII.

CAPITAL, SURPLUS AND UNDIVIDED PROFITS, \$1,500,000.

RESOURCES, 7,000,000.

OFFICERS.

J. H. Cooke, President.

E. D. Torrey, Vice-President.

A. Lewis, Jr., Vice-President.

..... Vice President and Manager.

P. B. Damon, Cashier.

G. F. Fuller, Assistant Cashier.

I. R. McArthur, Assistant Cashier.

DIRECTORS: C. H. Cooke, E. D. Torrey, A. Lewis, Jr., E. F. Bishop, W. W. McArthur, J. A. McCandless, C. H. Atherton, Gen. E. C. Carter, W. H. Damon, F. C. Atherton, W. A. Cooke.

COMMERCIAL AND SAVINGS DEPARTMENTS.